

TANNER & ORTEGA, L.L.P.

ATTORNEYS AT LAW
WWW.TANNERORTEGA.COM

HOWARD E. TANNER*

HUGO G. ORTEGA

*MEMBER OF N.Y., N.J. AND D.C. BAR

MEMO ENDORSED

NEW YORK CITY OFFICE

299 BROADWAY

SUITE 1700

NEW YORK, NY 10007

OFFICE: (212) 962-1333

FAX: (212) 962-1778

WHITE PLAINS OFFICE

175 MAIN STREET

SUITE 800

WHITE PLAINS, NY 10601

OFFICE: (914) 358-5998

FAX: (914) 761-0995

June 26, 2021

Honorable Kenneth M. Karas
United States District Judge
United States District Courthouse
Southern District of New York
300 Quarropas Street
White Plains, NY 10601

Re: *USA v. Sean Dixon*, 20 Cr. 663 (KMK)
Motion for Telephonic Plea Hearing

Dear Judge Karas:

I am appointed to represent the defendant, Sean Dixon. The Government has produced a Pimentel Letter to the defense and Mr. Dixon now wishes to enter a guilty plea to the Indictment by video or telephone, waiving his physical appearance for the Plea Hearing. It is my understanding that the Court has referred us to the Magistrate Judge for the plea. I write to request that the Court make a CARES Act finding and allow the Plea Hearing to proceed remotely.

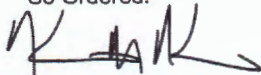
Mr. Dixon is detained at the Orange County Jail and I am informed that should he leave that facility for transport to the Courthouse, due to the continuing threat of the Covid-19 Pandemic, he would be required to go into quarantine for 14-21 days upon his return. This would cause undue hardship to Mr. Dixon who has had to endure very difficult prison conditions during his pretrial detention. Being placed in quarantine would be terribly onerous to say the least, which would require the defendant to remain in isolation for at least two weeks, with the imposition of significant restrictions to his access to jail services.

Due to the foregoing, I write to the Court to request that Your Honor find that the defendant's plea "cannot be further delayed without serious harm to the interests of justice", and that the Plea Hearing may therefore proceed by video conference or telephone. The Government has no objection to this application.

Thank you, Your Honor, for your consideration of this matter.

Granted. Due to the hardships Mr. Dixon would face if his guilty plea were done in person, as outlined herein, the Court finds that the plea cannot be further delayed without serious harm to the interests of justice. Therefore, the plea proceeding may be done remotely via telephone or videoconference.

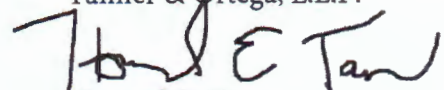
So Ordered.



6/28/21

Very truly yours,

Tanner & Ortega, L.L.P.


Howard E. Tanner

cc: AUSA Shiva Logarajah (By ECF and Email/PDF)
AUSA David Felton (By ECF and Email/PDF)